

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ECHOSTAR SATELLITE L.L.C.,
ECHOSTAR TECHNOLOGIES
CORPORATION, and NAGRASTAR
LLC,

Plaintiffs,

v.

VIEWTECH, INC., JUNG KWAK, and
DOES 1-10,

Defendants.
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Case No. _____
Southern District of California,
Case No. 07-CV-01273 W (WVG)

**NOTICE OF DISH NETWORK'S
MOTION TO COMPEL FACTORY
DIRECT PRODUCTS, INC.'S
PRODUCTION**

TO NON-PARTY FACTORY DIRECT PRODUCTS, INC.:

PLEASE TAKE NOTICE that upon the Declaration of Stephen M. Ferguson, dated February 16, 2010, and the exhibits attached thereto, and the accompanying memorandum of law, Plaintiffs' DISH Network L.L.C. (f/k/a EchoStar Satellite L.L.C.), EchoStar Technologies L.L.C. (f/k/a EchoStar Technologies Corporation), and NagraStar LLC (collectively "DISH Network" or "Plaintiffs") will move this Honorable Court at the United States Courthouse, 225 Cadman Plaza, East Brooklyn, New York 11201, at a time and date to be set by the Court, for an order, pursuant to Rule 37 of the Federal Rules of Civil Procedure, compelling Factory Direct Products, Inc. ("Factory Direct") to produce all documents, electronically stored information, tangible things, and other items responsive to DISH Network's subpoena.

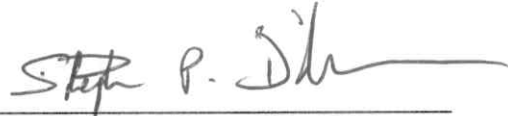
DISH Network will further move the Court to order Factory Direct's registered agent, Bruce Rothenberg, Esq. of Rothenberg Law Office PLLC, to provide a copy of DISH Network's subpoena and the Court's order in this matter to the principals of Factory Direct, or in the alternative, order Mr. Rothenberg to provide all name and contact information for the principals of Factory Direct, and for such other and further relief as the Court may deem just, proper, and equitable.

Dated: New York, New York
February 16, 2010

Respectfully submitted,

DLA PIPER LLP (US)

By:

A handwritten signature in dark ink, appearing to read "Stephen P. Davidson", written over a horizontal line.

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